

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

**Name of Customer:** Jerry Guberman as Trustee for Jerry Guberman Trust 12/23/92

**Mailing Address:** 702 Upland Court

**City:** Deltona

**State:** FL

**Zip:** 32725

**Account No:** 1ZA407

**Taxpayer I.D. Number (Social Security No.):** Redacted

**NOTE:** BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

1. Claim for money balances as of **December 11, 2008:**

a. The Broker owes me a Credit (Cr.) Balance of \$ 0

b. I owe the Broker a Debit (Dr.) Balance of \$ 0

c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, **it must be enclosed**  
with this claim form.

\$ N/A

d. If balance is zero, insert "None." None

2. Claim for securities as of **December 11, 2008:**

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

- |   | YES               | NO                |
|---|-------------------|-------------------|
| a. The Broker owes me securities        | <u>✓</u>          | <u>          </u> |
| b. I owe the Broker securities          | <u>          </u> | <u>✓</u>          |
| c. If yes to either, please list below: |                   |                   |

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)

See Nov. 30, 2008 IPO097 statements, attached hereto as Exhibit A.

---

\$ 2,502,406.87 (market value of securities long, per 1ZA407-3 statement)

---

\$ 87,450.00 (market value of securities long, per 1ZA407-4 statement)

---

(\$ 123,490.00) (market value of securities short, per 1ZA407-4 statement)

---

TOTAL: \$ 2,466,366.87

---

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**


	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	_____✓
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	_____✓
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	_____✓
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s).	_____	_____✓
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	_____✓
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	_____✓
9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.	_____	_____✓

Please list the full name and address of anyone assisting you in the preparation of this claim form: Matthew A. Kupillas, Esq., Milberg LLP, One Pennsylvania Plaza, New York, NY 10119

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date June 1, 2009 Signature   
Date \_\_\_\_\_ Signature \_\_\_\_\_  
Jerry Guberman

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,  
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

# **EXHIBIT A**

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

**JERRY GUBERMAN**  
AS TRUSTEE FOR **JERRY GUBERMAN**  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE  
NH 03782

PERIOD ENDING  
**11/30/08**

PAGE  
**1**

YOUR ACCOUNT NUMBER  
**1-ZA407-3-0**

YOUR TAX PAYER IDENTIFICATION NUMBER  
**\*\*\*\*\*3094**

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	2,226		972	BALANCE FORWARD		150,668.31	
11/12	1,590		1474	WELLS FARGO & CO NEW	29.800	66,423.80	
11/12	1,378		5298	HEWLETT PACKARD CO	34.900	55,554.00	
11/12	901		5800	WAL-MART STORES INC	55.830	76,988.74	
11/12	3,339		9624	INTERNATIONAL BUSINESS MACHS	87.270	78,666.27	
11/12	3,657		10126	EXXON MOBIL CORP	72.880	243,479.32	
11/12	1,749		14452	INTEL CORP	14.510	53,209.07	
11/12	2,385		18777	JOHNSON & JOHNSON	59.520	104,274.42	
11/12	1,272		23103	J.P. MORGAN CHASE & CO	38.530	91,989.05	
11/12	742		27429	CUCA COLA CO	44.660	56,857.52	
11/12	1,378		31755	MCDONALDS CORP	55.370	41,113.54	
11/12	5,035		36081	MERCK & CO	28.550	39,396.90	
11/12	2,544		40407	MICROSOFT CORP	21.810	110,014.35	
11/12	1,007		53385	ORACLE CORPORATION	17.300	44,112.20	
11/12	583		53887	PEPSICO INC	56.410	56,844.87	
11/12	4,293		57711	APPLE INC	100.780	58,777.74	
11/12	1,007		58213	Pfizer Inc	16.940	72,894.42	
11/12	1,908		62037	ABBOTT LABORATORIES	54.610	55,032.27	
11/12	689		62539	PROCTER & GAMBLE CO	64.080	122,340.64	
11/12	1,325		66363	AMGEN INC	59.160	40,788.24	
11/12	3,180		66865	PHILLIP MORRIS INTERNATIONAL	43.600	57,823.00	
11/12	1,060		70689	BANK OF AMERICA	21.590	68,783.20	
11/12	3,445		71191	QUALCOMM INC	33.770	35,838.20	
11/12				CITI GROUP INC	12.510	43,233.95	
				CONTINUED ON PAGE 2			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

**JERRY GUBERMAN**  
AS TRUSTEE FOR JERRY GUBERMAN  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE NH 03782

PERIOD ENDING  
**11/30/08**

PAGE  
**2**

YOUR ACCOUNT NUMBER  
**1-ZA407-3-0**

YOUR TAX PAYER IDENTIFICATION NUMBER  
**\*\*\*\*\*3094**

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	795		75015	SCHLUMBERGER LTD	49.480	39,367.60	
11/12	1,908		75517	COMCAST CORP	16.510	31,577.08	
11/12	3,763		79341	CL A	27	101,751.00	
11/12	954		79843	AT&T INC	52.510	50,132.54	
11/12	636		83667	CONOCOPHILIPS	52.040	33,122.44	
11/12				UNITED PARCEL SVC INC			
11/12				CLASS B			
11/12	3,869		84169	CISCO SYSTEMS INC	16.730	64,882.37	
11/12	1,113		87993	U S BANCORP	29.530	32,910.89	
11/12	1,325		88495	CHEVRON CORP	73.430	97,347.75	
11/12	636		92319	UNITED TECHNOLOGIES CORP	53.160	33,834.76	
11/12	6,731		92821	GENERAL ELECTRIC CO	19.630	132,398.53	
11/12	1,802		96645	VERIZON COMMUNICATIONS	30.410	54,870.82	
11/12	159		97147	GOOGLE	337.400	53,652.60	
11/12		2,400,000	23579	U S TREASURY BILL	99.936		2,398,466.80
11/12				DUE 2/12/2009			
11/12				2/12/2009			
11/12				FIDELITY SPARTAN	DIV		
11/12				U S TREASURY MONEY MARKET			
11/12		20,975	18682	DIV 11/12/08	1		20,975.00
11/12				FIDELITY SPARTAN			
11/12				U S TREASURY MONEY MARKET			
11/12				FIDELITY SPARTAN			
11/12				U S TREASURY MONEY MARKET			
11/12				FIDELITY SPARTAN			
11/12				U S TREASURY MONEY MARKET			
11/12	8,461		28050	DIV 11/19/08	1	8,461.00	
11/19				CONTINUED ON PAGE 3			

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

**JERRY GUBERMAN**  
AS TRUSTEE FOR JERRY GUBERMAN  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE  
NH 03782

PERIOD ENDING <b>11/30/08</b>	PAGE <b>3</b>
YOUR ACCOUNT NUMBER <b>1-ZA407-3-0</b>	YOUR TAX PAYER IDENTIFICATION NUMBER <b>*****3094</b>

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/19		8,461	53565	FIDELITY SPARTAN	1		8,461.00
11/19	150,000		58055	U S TREASURY MONEY MARKET	99.926	149,889.00	
				U S TREASURY BILL			
				DUE 03/26/2009			
11/19	17,361		62601	FIDELITY SPARTAN	1	17,361.00	
				U S TREASURY MONEY MARKET			
				NEW BALANCE		298,750.74	
				SECURITY POSITIONS	MKT PRICE		
	3,763			AT&T INC	28.560		
	1,007			ABBOTT LABORATORIES	52.390		
	689			AMGEN INC	55.540		
	583			APPLE INC	92.670		
	3,180			BANK OF AMERICA	16.250		
	1,325			CHEVRON CORP	79.010		
	3,869			CISCO SYSTEMS INC	16.540		
	3,445			CITI GROUP INC	8.290		
	1,272			COCA COLA CO	46.870		
	1,908			COMCAST CORP	17.340		
				CL A			
	954			CONOCOPHILIPS	52.520		
	3,339			EXXON MOBIL CORP	80.150		
	6,731			GENERAL ELECTRIC CO	17.170		
				CONTINUED ON PAGE 4			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES



**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

**JERRY GUBERMAN**  
AS TRUSTEE FOR JERRY GUBERMAN  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE NH 03782

PERIOD ENDING **11/30/08** M  
PAGE **4**  
YOUR ACCOUNT NUMBER **1-ZA407-3-0**  
YOUR TAX PAYER IDENTIFICATION NUMBER **\*\*\*\*\*3094**

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	159			GOOGLE	292.960		
	1,590			HEWLETT PACKARD CO	35.280		
	3,657			INTEL CORP	13.800		
	901			INTERNATIONAL BUSINESS MACHS	81.600		
	2,385			J.P. MORGAN CHASE & CO	31.660		
	1,749			JOHNSON & JOHNSON	58.580		
	742			MCDONALDS CORP	58.750		
	1,378			MERCK & CO	26.720		
	5,035			MICROSOFT CORP	20.220		
	2,544			ORACLE CORPORATION	16.090		
	1,007			PEPSICO INC	56.700		
	4,293			PFIZER INC	16.430		
	1,325			PHILLIP MORRIS INTERNATIONAL	42.160		
	1,908			PROCTER & GAMBLE CO	64.350		
	1,060			QUALCOMM INC	33.570		
	795			SCHLUMBERGER LTD	50.740		
	17,361			FIDELITY SPARTAN	1		
				U S TREASURY MONEY MARKET			
				U S BANCORP	26.980		
				UNITED PARCEL SVC INC	57.600		
				CLASS B			
				U S TREASURY BILL	99.971		
				DUE 03/26/2009			
				3/26/2009			
				UNITED TECHNOLOGIES CORP	48.530		
	150,000						
	636						

CONTINUED ON PAGE 5

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York ☐ London

**JERRY GUBERMAN**  
AS TRUSTEE FOR **JERRY GUBERMAN**  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE  
NH 03782

PERIOD ENDING <b>11/30/08</b>	PAGE <b>5</b>	M
YOUR ACCOUNT NUMBER <b>1-ZA407-3-0</b>		
YOUR TAX PAYER IDENTIFICATION NUMBER <b>*****3094</b>		

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	1,802 1,378 2,226			VERIZON COMMUNICATIONS WAL-MART STORES INC WELLS FARGO & CO NEW  MARKET VALUE OF SECURITIES LONG 2,502,406.87  SHORT	32.650 55.880 28.890		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

JERRY GUBERMAN  
AS TRUSTEE FOR JERRY GUBERMAN  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE  
NH 03782

PAGE  
6

PERIOD ENDING  
11/30/08

YOUR TAX PAYER IDENTIFICATION NUMBER  
\*\*\*\*\*3094

YOUR ACCOUNT NUMBER  
1-ZA407-3-0

M

08-01789-cgm

Doc 711

Customer Claim

Filed 11/11/09  
Pg 11 of 15

Entered 11/11/09 16:15:56 Exhibit B

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY DIVIDENDS GROSS PROCEEDS FROM SALES			17,131.17 16,820,687.32

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

JERRY GUBERMAN  
AS TRUSTEE FOR JERRY GUBERMAN  
TRUST 12/23/92  
PO BOX 776  
SUNAPEE  
NH 03782

PERIOD ENDING  
**11/30/08**

PAGE  
**1**

YOUR ACCOUNT NUMBER  
**1-ZA407-4-0**

YOUR TAX PAYER IDENTIFICATION NUMBER  
**\*\*\*\*\*3094**

08-01789-cgm Doc 711-0 Filed 11/11/09 Entered 11/11/09 16:15:56 Exhibit B

Customer Claim g 12 of 15

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12				BALANCE FORWARD			150,669.00
11/12	53		44733	S & P 100 INDEX	15.800		83,687.00
11/12			49059	NOVEMBER 460 CALL			
11/12				S & P 100 INDEX	17.800	94,393.00	
11/19			35163	NOVEMBER 450 PUT	26		
11/19				S & P 100 INDEX			
11/19	53		39488	DECEMBER 430 CALL	30	159,053.00	
11/19			43813	S & P 100 INDEX	3	15,953.00	
11/19	53		48138	DECEMBER 420 PUT	37		
11/19				NOVEMBER 460 CALL			
11/19				S & P 100 INDEX			
11/19				NOVEMBER 450 PUT			
11/19				NEW BALANCE			196,047.00
11/19				SECURITY POSITIONS			
11/19				S & P 100 INDEX	MKT PRICE		
11/19				DECEMBER 430 CALL	23.300		
11/19				S & P 100 INDEX			
11/19	53			DECEMBER 420 PUT	16.500		
11/19				MARKET VALUE OF SECURITIES			
11/19				LONG			
11/19				SHORT			
11/19				87,450.00			
11/19				123,490.00-			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

# **EXHIBIT B**

**EXHIBIT B**

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on the information provided in the Claimant's latest Madoff account statement and any additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law and equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by the applicable law, the Claimant does not consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.
8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.

10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not to be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. During the lifetime of the account, the Claimant may have contributed and/or withdrawn sums of money. The Claimant's final account balance set forth in Exhibit A takes into account any such contributions and/or withdrawals. Claimant continues to search for additional documents relating to such contributions or withdrawals and reserves the right to supplement this submission if additional documents are found.
13. The Claimant submits herewith documents in support of the Claimant's claim. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents if deemed necessary. Below is a list of the documents submitted herewith:

**2008**

- BMIS account statements for time period ending 11/30/08.